is full of Boxers, who menace the persons and | WILL REST IN PRETORIA POWERS MAY SEIZE PEKIN.

FIRM ACTION LIKELY IF BOXERS ARE NOT QUICKLY SUPPRESSED.

Minister Conger Reports Situation More Serious-Another American Gunboat and Marines Ordered From Manila to Take Our Armed Troops Not to Act With Others Under a European Commander -Japan Said to Have Protested Strongly Against the Landing of Russian Troops.

WASHINGTON, June 6.-Officials of the Government and members of the diplomatic body regard the situation in China as so serious that the transfer of authority in the Empire to European powers is regarded as likely unless the Boxers are suppressed quickly. The developments of the last few days have demonstrated, these men say, that the Chinese Government is likely to go to pieces at any time, and was pointed out by one diplomat of experience and judgment, that this very thing may happen ii a large foreign force enters Pekin. It was explained that in the war between China and Japan, the only thing that prevented the Jap- aboard, has gone to Cheefoo. anese army from pressing on to Pekin was the lear that the Government of China would colapse, thus leaving Japan with the responsibility of caring for the entire Chinese territory. With Russia assuming an aggressive attitude in China, Japan opposing her and the other powers ready to take a hand in anything that may lead to the partition of the Chinese Empire, the situation may, it is suggested, assume a phase that would involve the great nations of the world in the conflict.

The State Department received advices today from Minister Conger at Pekin which were of such a grave character that the Department officials declined to make them public. All they would admit was that Mr. Conger reported that the situation had grown more serious over night. In accordance with an agreement reached at yes terday's Cabinet meeting, Instructions were sent by Secretary Hay to Minister Conger to-day to cooperate with the foreign representatives at Pekin should be deem it advisable to do so for the protection of American interests, preserving at the same time an independent attitude in respect to the uses to which the American armed forces may be put. Authority was given him to draw on the United States naval commanders in Asiatic waters for such assistance as he deemed necessary, and he was instructed to consult by telegraph with Rear Admiral Remey, com-manding the Asiatic fleet, and Rear Admiral Kempff, commanding the squadron in Chinese hempff, commanding the squadron in Chinese waters, in regard to the proper course to be pursued to preserve the lives and property of American citizens. His instructions are general, as the President desired to avoid ham-pering him with specific orders. Instructions were sent also to Admiral Remey to enter into the fullest cooperation with Minister Conger and to furnish him with such help as he may desire.

and to furnish him with such help as he may desire.

After careful consideration of the despatch received yesterday from Rear Admiral Kempff, which apparently indicated that he wanted a gunboat and more marines at Taku Fort, the Navy Department to-day decided not to wait for additional advices from Admiral Kempff, explanatory of the non-decipherable portions of the telegram, and accordingly sent instructions by cable to Rear Admiral kempf at Manila to despatch a light-draft gunboat, preferably the Helena, and reenforcements of marines to Admiral Kempff at Taku. The Helena was constructed especially for service in shallow Chinese rivers. She draws only nine feet and is capable of penetrating the Pel-Ho River, on which Pekin is situated, as far as Tien-Tsin at least. She is particularly well adapted for carrying extra men. It is supposed that she will be able to quarter several hundred marines on her broad decks on the voyage from Manila to Taku.

A prominent diplomat, well versed in Eastern affairs, and to-day that no credence should be placed in the press despatch from Shanghai that Japan had protested against the landing of a large Russian force in China and had ordered the mobilization of her fleet. Nothing of that sort was likely to happen at this time, he said, but he admitted that the Chinese Government was in greater danger of dissolution now than it had ever been. At the Japanese Legation

was in greater danger of dissolution now than it had ever been. At the Japanese Legation it was said that no information to confirm the Shanghai despatch had been received. In answer to a direct question, a high official of the Administration said that while Minister Conger and Admiral Kempff would act in con-

of the Administration said that while minister Conger and Admiral Kempff would act in conjunction with foreign representatives, if necessary, that cooperation would not extend to permitting the United States marines and blue-jackets to serve with armed foreign troops under a foreign officer. It was intimated, however, that this Government might not raise any objection if a combination of all the foreign marines and sailors in China were necessary to give protection to European. Japanese and American interests, to that combined force serving under the leadership of Rear Admiral Kempff or some other American naval officer. It could not be learned that any such suggestion had been made to this Government.

Some Americans interested in religious missions in China are urging the Government to send out armed forces to operate against the Boxers, but their importunities are likely to be of no avail, unless Minister Conger should coincide with the suggestion.

NOT A RUSSIAN MOVE. Denial That the Czar's Government Is Behind the Boxer Uprising.

LONDON, June 7.—Information from the Continental capitals tends to utterly discredit the rumors emanating from British quarters in Shanghai that Russia is manipulating the Boxer movement, intending to make it an excuse for a Russian occupation of Pekin.

The Standard, one of the most pronounced Russophobe journals in Great Britain, prints despatches from its correspondents at Paris, Berlin and Vienna, all of which are contrary to the sinister allegations. Its Paris correspondent says he learns that an understanding exists between the French and British Governments conerning their policy in China, and that Russia consequently is not likely to take

The paper's Berlin correspondent gives as the result of the most careful inquiries that the rumors that the Boxer rising was instigated by Russia are all incorrect, while its Vienna corre spondent says he learns that M. De Giers the Russian Minister at Pekin, on Tuesday assured his colleagues that he was authorized to recognize any government in China which proved able to restore order, thus showing that it cannot be Russia's design to steal a march on the other Powers by using the situation to occupy Pekin. The correspondent adds that the eagerness of the other Powers to back up the policy expressed by the Russian declaration is a sign of the safety of all Christians to the exclusion of selfish aims on the part of any single Power. The Times's Vienna correspondent also de

clares that it is the belief of those who are well informed, their belief being based on intellisence from both Pekin and St. Petersburg that the situation is not likely to create trouble

The correspondent adds that accounts from St. Petersburg agree in representing the Czar as firmly resolved not to countenance a policy calculated to result in a conflict between the

Reports from other European sources indicate that while the Governments regard the situation as serious the hope generally prevails that concerted action will compel the Pekin Gov-

ernment to restore order. A despatch to the Times from Pekin says that the Boxer movement is spreading unchecked throughout the province. Not one Boxer has yet been arrested and punished. The country around Tong-Shan,

where the chief railway workshops are located.

Lackawanna Wabash luxurious new through car leaves here after June 2 at 10:00 A. M. daily, arriving 8t. Louis 2:00 P. M. next day Unexcelled meals at leasonable rates. Unrivalled scenery.—Adv. Mount Pleasant House, White Mts., has its repre-

property of foreigners. Pekin is swarming with refugees.

The correspondent reaffirms, despite the denials that have been made, that Russia cer-tainly made an offer to the Tsung-li-Yamen to loan troops to quell the disturbance.

A despatch to the Central News from Shanghal says that after Russia offered troops to China Japan made a similar offer. The Government, it is added, has sent Chaoskuchao on secret mission to Paoting-Fu, it is supposed to investigate the rising.

BERLIN, June 6. - The St. Petersburg correspondent of the Cologne Gazette transmits an inspired communication declaring that the Russian Foreign Office is convinced of an early and peaceful settlement of the Chinese trouble and that effective guarantees will be obtained from China for the better protection of foreigners. It is also convinced that full compensation for damages will be obtained.

The German Government is represented as anxious lest the revolt should spread to Shan-Tung, but it has adopted adequate military precautions in German territory. The German cruiser itertha, with Admiral Bendemann

FIGHTING NEAR TIEN-TSIN.

Many Boxers and Chinese Troops Slain Japan's Reported Protest. Special Cable Despitches to THE SUN.

TIEN-TSIN, June 6. - In a battle between the Boxers and Chinese troops many were killed on both sides.

Japan has protested against Russia's landing troops in China. LONDON, June 6.-A Central News despatch

from Tien-Tsin of to-day's date says the reports of the murders of the two missionaries, Messrs Robinson and Norman, by the Boxers have been confirmed. Mr. Robinson's body was dreadfully mutilated

The rebels have burned An-Ting station and surrounded Lang Pang. No trains are running to or from Pekin, as the engine drivers refuse to proceed without a foreign guard.

All the foreign warshi s are landing further detachments of marines.

A despatch to Dalziel's News, Agency from Shanghai of to-day's date says Sir Claude Macdonald, the British Minister, is so ill that he is considered unfit to fulfil the grave responsibilities now placed upon him.

PARIS, June 6. The Foreign Office has received cable : dvices to the effect that the members of the Diplomatic Corps have held a meeting at Pekin to consider the situation with regard to the Boxer troubles. At this meeting it was decided to send authority to the Admirals of the various fleets now assembled at Taku to take whatever measures they may consider necessary for the protection of Europeans and native Christians.

JAPANESE EXPECT WAR.

Most of the People Believe the Struggle With Russia Will Begin in the Fall.

VICTORIA, B. C., June 6.-According to news brought by the steamer Empress of Japan, most of the people of Japan expect a war with Russia in the fall, many connecting the approaching mobilization of the Japanese Army with other war preparations. While congratulating Great Britain on the successes her armies are now achieving in South Africa, and on the ability displayed by her diplomatists in "bolding off" the world, the Fomiuri Shimbun thinks that the latter result has been materially assisted, so far as the Orient is concerned. by Japan's attitude

It does not attempt to place England under an obligation to Japan, but it ventures to ex-press a hope that the facts will be appreciated and that they will have the effect of drawing pose of his visit is unknown. England and Japan closer together. The vigilance on the part of Great Britain in the far East creates an opportunity for Russia

LETTERS DESTROYED IN MAIL TUBE.

Spilled and Many Ground Up. first serious mishap to the Post Office eneumatic tube service in a year or more occurred yesterday morning in the tube which runs to Brooklyn. Tre top of a cylinder containing about five hundred letters came loose in transit from the General Post Office to Brooklyn and the letters were spilled in the tube while the empty cylinder went on to its destination. Another cylinder which was despatched from the New York end before word of the accident could be sent from Brooklyn, shot into the mess of I tters and ground many of them into pulp beyond any possibility of identification. There were a number of register d letters containing money in the lot destroyed. A record is kept of these, but according to Postmaster Van Cott it will be necessary for the senders to file their claims for reimbur-ement with the Department at Washington. The Postmaster said that except in the first few month: after their adoption there had been very few accidents of a serious nature in the tube service. The accident vesterday he thought was probably un avoidable. from the New York end before word of the ac

GOV. TAYLOR WONT GO BACK.

Little Probability That He Will Be Named

Again for Governor of Kentucky. INDIANAPOLIS. June 6. W. S. Taylor, formerly Governor of Kentucky but now a refugee here, has received a number of letters from leading Kentucky Republicans since the conference here last Sunday and has become convinced that it is inadvisable to attempt to secure the nomination for Governor un'ess he returns and stands trial on the indictment charging him

and stands trial on the indictment charging him with complicity in the murder of Senator Goebel. This was made plain to him last Sunday, but he took the matter under advisement, pending further notices of the sentiment of his friends. Many of these have written him that a canvass in his interest would be futile unless he himself leads it, and that he should not ask the party to nominate him unless he returns to the State.

Taylor admitted to-day that he would not enter the contest, as he was not willing to return to Kentucky in the present condition of the public mind for he did not believe he would receive a fair and impartial trial. Among those who advised him not to stand for the nomination was ex-Gov. Bradley. Mr. Taylor will remain here under the protection of Gov. Mount and will work for an insurance company. work for an insurance company.

NEW DORMITORY AT COLUMBIA.

Friends of the University to Build It at a Cost

of About \$1,000,000.

At the commencement exercises of Teachers'
College this morning Dean J. E. Russell will announce that a stock company composed of friends of the college has purchased the lot adjoining the present buildings on 120th street, running along Amsterdam avenue to 121st street, on which will be erected a woman's dormitory during the coming year. The building will accommodate between 300 and 400 women students, besides giving room for thirty-two private apartments. This structure will represent an investment of approximately \$1,000,000, and according to Prof. Russell will be to a limited degree a part of the Columbia University aystem.

G. F. Crane and Wife Give a Chape

PITTSFIELD, Mass., June 6.-George F. Crane and wife of New York to-day transferred a parcel of land and a handsome chapel at Washington, Mass, to the St. Andrews Episcopa ington, Mass., to the St. Andrews Episcopal Society of that place, together with \$10,000 in gold bonds, the income of which is to be applied to the maintenance of the church and property. Mr. Crane has recently built a summer residence in Washington and last fall had the chapel erected which he now presents to the trustees of the new Episcopal church. The chapel will be consecrated by Bishop William Lawrence of Boston on June 14.

Special Mountain Train Put On. Lackawanna Railroad's special mountain train leaves every Saturday after June 10 at 12:45 P.M. Ar-rives Monday morning before business bours.—Ada,

ROBERTS APPARENTLY WAS PLENTY

OF FIGHTING AREAD.

Boer Forces in the Orange Free State Threaten Considerable Trouble and the Transvaalers to the North Must Be Chased -Buller Agrees to an Armistice in Natal.

Special Cable Despatches to THE SUN. LONDON, June 6.—The War Office received the

following despatch from Gen. Roberts to-day: "PRETORIA, June 6, 5:35 P. M.-The occupation of the town passed off most satisfactorily and the British flag is now hoisted on the top of the Government offices. The troops met with a much more enthusiastic reception than I anticipated. The third battalion of the Grenadier Guards lined the square when the march past took place. Owing to their having to be on duty at some distance around the town very few cavalry or mounted infantry were able to take part in the ceremony. Several of our officers who have been prisoners were among the onlookers.'

LONDON, June 7.-It is generally expected that Gen. Roberts will halt at Pretoria a while before attempting to capture or disperse the Boers still in arms. Judging from present indications this task will be fully as difficult as the well wishers of the burghers have predicted.

There is no more definite intimation of the whereabouts of Commandant-General Botha and the commandos which opposed the British advance upon the capital than is contained in THE SUN'S Pretoria despatches. Besides these forces, Gen. De Wet's and others, which were located by THE SUN correspondent on June 2, there are still, according to a Maseru telegram, 6,000 Boers at Witteberg and in the neighborhood of Bethlehem. They are reported to have been twice routed during the past week, but the renewed predictions of their capture have not been fulfilled. Furthermore the burghers under Gen. Stevn threaten considerable trouble

It is again suggested that Gen. Roberts may find it necessary to return south personally to direct the forces in the Orange Free State. There is nothing from the English side in reference to the armistice in Natal. A despatch to the Telegraph from Newcastle, dated June 4, says that great numbers of Boers still occupy Majuba Hill, Laings Nek and the Pogwant Range as far east as Anglebrecht Pass. Their positions are particularly strong, but the Boers are said to be greatly depressed by the capture of Johannesburg and Pretoria, Gens. Christian Botha, Fourie and Pretorius are in command. Their provisions are scanty, and they are without any flour, meat and sugar. The correspondent says it is only a question of time when this disorganized rabble will surrender unconditionally.

According to the Standard's correspondent with Gen. Roberts, the British prisoners who were removed are reported to have been sent to Spelonken.

A despatch to the Daily Mail from Lorenzo Marques says that much significance is attached to the presence of many British warships in the harbor there. It is generally admitted that if there is trouble on the Transvaal border between the Boers and Portuguese and serious developments follow the British will assist the Portuguese. The latter are uneasy over the prospect of difficulties growing out of the asdistance they have rendered England.

A despatch to the Times from Lorenzo Marques, dated Tuesday, says that thousands of burghers under Commandant-General Botha have taken an oath to continue the struggle to the bitter end. The despatch adds that Mr. Hollis, the American Consul at Lorenzo Marques, has started for the Transvaal. The pur-

A despatch to the Central News from Newcastle, Natal, says it is understood that the perial authorities are approaching the Government of Natal with a proposition that the colony shall voluntarily renounce responsible government for a cortain period, so that a general system of crown government may be established throughout British South Africa, leading in course of time to federation and the subsequent extension of autonomy simultaneously to all the States.

QUEEN CELEBRATES THE VICTORY. Big Benfire, a Procession and Toasts at Balmoral Castle.

Special Cable Despatch to THE SUN LONDON, June 6 - The Queen celebrated the capture of Pretoria this evening at Balmoral Castle. An informal invitation to partake had been issued to the tenantry and neighboring residents, and these to the number of about five hundred assembled at 9:30 o'clock in the avenue at the castle. A procession was formed and, accompanied by the royal gillies currying lighted torches and headed by the Queen's pipers, the people marched to the top of Craig Gowan, an adjacent hill, where a pile twenty

feet high had been prepared for a bonfire.

Upon arriving at the summit of the hill the procession encircled the pile, which was then t on fire by the Duke of York. The material afforded an enormous blaze, which was conspicuous for miles. When the flames were expiring Mr. Forbes, her Majesty's Commissioner, proposed toasts to Gen. Roberts and the Army, which were honored with rounds of cheers.

The procession then descended to the castle where the Queen, the Duchess of York, Princess Christian and others had been watching the bonfire. The torchbearers danced a reel and toasts were drank to her Majesty's health

SALISBURY'S CONGRATULATIONS. Praises Roberts's Brilliant Strategy—The Rush Back to South Africa.

Special Cable Despatch to THE SU LONDON, June 6. Lord Sallsbury to-day sent he following cable message to Gen. Roberts: "I earnestly congratulate you on this crowning result of your brilliant strategy and the devo-

ion of your gallant army." The managers of the Union Line Steamship Company say that the rush of people back to South Africa is in full swing. The bookings have been enormous, especially since the news of the capture of Johannesburg.

DURE OF NORFOLK INJURED

by the Boers Near Lindley.

* pecial Cable Despatch to THE SUN. LONDON, June 6.-The War Office announces that the Duke of Norfolk, the former Po-tmaster-Gene al who resigned to go to South Africa with the Sussex Pegiment, was thrown from his horse and dislocated his hip. Among the officers captured with the Thir-teenth Battalion of Yeomanry near Lindley were Lord Longford, Sir J. Power, Lord Ennis-ore and the Earl of Leitrim.

British Casualties.

Special Cable Despatch to THE SUN. ALONDON, June 6.- The War Office issues the following casualty list: One officer and two nen captured at Heilbron on May 22; two officers and six men wounded at Elandsfontein on May 29: one man killed and two officers and eleven men wounded at Klipriverburg on May 27, one man killed and eleven men wounded, includ-ing A. W. Gray (severely) and Corporal Stevens (dangerously), both of the Canadian Mounted Infantry, at Oliphants Vlei on May 28; one man killed and twelve men wounded at Driefontein on May 30, and twenty-four dea; hs from disease.

A Great Variety of Suburban Homes. For folder giving complete information send a 1-cent stamp to George H. Daniels, Grand Central Station, or apply to New York Central ticket agents. —Ads.

BEFORE PRETORIA'S SURRENDER.

Kruger Had Given Orders to Defend the Town The British Reverse Near Lindley. Si ecial Cable Desputches to THE SUN.

From THE SUN'S Correspondent at Pretoria. PRETORIA. June 2, noon, by messenger orenzo Marques, June 5, 5:30 P. M.—President Krüger indorsed a resolution of the war officers for the defence of Pretoria and confirmed the same from Lydenburg yesterday. President Steyn of the Orange Free State has expressed strong disapproval of the action of the Transvaal Government officials in leaving the capital before it was absolutely neces

Another great war council was held at midnight. At its conclusion strong commando were sent to Rustenburg and Waterberg to await the advance under the forces of Gen.

Baden-Powell and Col. Plumer. Utrecht, Natal, has been surrendered by a small patrol to Gen. Buller's forces in order to avoid a bombardment. Gen. Buller issued a proclamation warning the burghers that concealing arms or sending them away for the use of the Boers in the field would be considered an act of high treason and would be criminally punished

Strong Boer commandos are still at Laings Nek. A heavy Creusot gun on a hill east of Molls Kop bombarded the British camps vesterday with disastrous effect. The distance

was six miles. President Steyn telegraphs from south of Kroonstad that a battle at Biddolfsberg, near Senekai, on May 29 resulted most successfully to the Federals. Four hundred and eighty prisoners were taken, while on the field were found 36 British killed and 130 wounded. On the following day there was another success in the vicinity of Lindley, when 10 British were killed and 40 captured Gen. De Wet is now between the Vaal River

and Vereeninging and Myerton PRETORIA, undated, via Lorenzo Marques, June 5, 5:20 P. M.—The situation is critical but not hopeless. The British have not yet occupied the town.

There was a flerce battle at Orange Grove today and it is expected that it will be resumed to-morrow. It is reported that the fighting at Klip River

and El-berg was attended with enormous Brit-All the remaining town burghers have been called out, and the present determination is to

make a stern resistance before the capital sur-PRETORIA, Sunday night, via Lorenzo Marues, June 6, 2:30 P. M.-President Krüger is expected to return on account of the prom-

sing outlook. The Government officials have been paid in gold. The Volksstem the Transvaal organ, last night bitterly attacked the Portuguese authories. It alleged that Portugal has been guilty of numerous breaches of neutrality and said it hoped the Powers would see that the two small republics received fair play against the re-

ources of a world Empire. Gen. Schalkburgher has returned from Lydenburg. There are three batteries of artillery in the forts, where heavy guns are also

It is reported that the Heidelberg commandos captured a lot of prisoners yesterday. President Steyn is east of Kroonstad and is advancing toward Winburg. The railway has been destroyed for a long

distance south of the Vaal River by the Free Staters. PRETORIA, June 4, via Lorenzo Marques, June 6, 2:30 P. M. -Eleve. British soldiers have

surrendered between Standerton and Vrede to the Free State troops. Gens. French, Hamilton and Broadwood are threatening Pretoria from the southeast Nearly all the railway rolling stock has been moved. Shells are roaring over the town. One struck the Scanz Kop fort.

Irene has just been evacuated by the fed-

eral troops. BULLER GETS AN ARMISTICE. Agrees With Gen. Christian Botha to Stop

Fighting for Three Days. Special Cable Descatch to THE SUN From THE SUN'S Correspondent at Pretoria. PRETORIA, June 3, via Lorenzo Marques, June 5, 5:30 P. M.-At the request of Gen. Buller a three days' armistice has been agreed to by Gen. Christian Botha, the Boer commander at Laing's Nek. Both commanders

met and held a conversation. Utrecht has again been evacuated by the British, who retired on the main force at Mount

It is officially reported by President Steyn that in a battle on May 30 near Winburg, Gen. De Witt surrounded, bombarded and captured 500 men of the Imperial Yeomanry. Four officers were also captured.

DEWEY WELCOMED IN OHIO.

Hearty Greeting in Columbus-Says He Is Still a Candidate for President. COLUMBUS, Ohio, June 6.—Admiral and Mrs. Dewey came to town to-day and will remain here as the guests of the city until Friday morning, when they will go to Detroit and thence to Grand Rapids. The reception accorded the hero of Manila was enthusiastic.

Admiral Dewey and party were met at Newark twenty-five miles out by a committee of which ex-Congressman Joseph H. Outhwaite was chairman, who delivered the welcoming address. On the arrival of the party in Columbus

dress. On the arrival of the party in Columbus an Admiral's salute was fired.

The thousands who lined the streets made the Admiral feel welcome. The city's principal thoroughfare was decorated with bunting and flags, portraits of the heroes of the S. anish and other wars, the predominating picture, of course, being that of the Admiral himself. In the afternoon there was a public reception, an exchange of civilities between the Admiral and survivors of the War of the Rebellion, who are here attending a sodiers and sallors weunion and camp fire and a participation in a barbecue. To-night the Admiral attended the soldiers' camp fire and a smoker given by the newspaper men.

The features to-morrow will be a civic and military parade and a display of fireworks in the evening, which will be followed by a ball.

Admiral Dewey in answer to a question, said to-day that he is still a candidate for the Democratic nomination for President, though he admirs that he does not expect to receive the nomination.

OCEANIC DEVELOPING SPEED. Biggest of Ocean Crossers Steps Up Into the 21-Knot Class.

The White Star liner Oceanic, biggest of ocean crossers, has put herself in the 21-knot class of twin screws. She completed off Sandy Hook lightship, before dawn yesterday, a run of 5 days, 21 hours and 47 minutes from Queenstown, averaging 20.37 knots an hour. On the second day out she logged 524 knots, the weather being fine and the sea

smooth, and her performance gave her commander. Capt. Cameron, the hope that she may yet be seen in port on Tuesday night. Her hourly average on this, her best day, was a fraction more than twenty-one knots.

Among the Oceanic's passengers were S. Charles Phillips, James Marsden, Norman Duxbury, Charles Austin, and I. Zuaneili, a delegation of British paper hangers, who have come here at the invitation of the American Paper and Pulp Manufacturers' Association to inspect the machinery and methods of making paper here. Other passengers were Assemblyman Fallows, J. Ogden Armour, Harry C. Brewster, Attalic Claire, Samuel W. Fairchild, Robert Garrett, Sir T. V. S. Gooch, Charles Mallory, Courtlandt Palmer, William Sloane, Lispenard Stewart, Viscountess Coke and John Boyd Thacher.

Pennsylvania Hailroad's Fast Trains to Cincinnati

MAYOR MAY HOLD ICE STOCK

EX-JUDGE DILLON'S OPINION STAYS ACTION BY COLER.

And Justice Smyth Stays Proceedings by the Attorney-General in the Action to Annul the Ice Company's Certificate-Appeal Expected to Stay the Gaynor Hearing.

Comptroller Coler wont attempt to declare forfeited and void any leases for piers or any contracts for ice between the American Ice Company and the city of New York. Ex-Judge John F. Dillon has given him an opinion that ownership of stock in a corporation that contracts with the city is not forbidden to a city official by section 1,583 of the Charter This section, under which William R. Hearst petitioned the Comptroller to act, says:

"No officer of the corporation (the city of New York) shall be or become, directly or indirectly, interested in or in the performance of any contract, . . or the sale of any article, the expense, price, or consideration of which is payable from the city treasury . ; nor in the purchase or lease of any real estate or other property belonging to or taken by the corporation. If any (such officer) shall
 knowingly acquire an interest in any contract or work with the

interest in any contract or work with the city, or any department or officer thereof, unless the same shall be devolved upon him by law, he shall, on conviction thereof, forfeit his office and be punished for a misdemeanor.

All such contracts in which any such person is or becomes interested shall, at the opiton of the Comptroller, be forfeited and void."

Mr. Dillon says:

"Two questions are raised, viz: (1. Whether the mere fact, if it be true, that the Mayor and Dock Commissioners acquired stock in the ice company as alleged is sufficient to empower the Comptroller, under section 1533 of the Greater New York Charter above quoted, to declare forfeited and void a preexisting lease from the city to such company. (2.) Does the mere fact, if it be true, that the Mayor owned stock in the said ice company on or about Jan. 17. 1900, when the said ice contract was made, and still owns said stock, empower the Comptroller, under said section 1533, to declare forfeited and void the said ice contract.

"I answer both of the above questions in

declare forfeited and void the said ice contract.

"I answer both of the above questions in the negative. In my opinion it cannot be affirmed, as a matter of law, that merely because a person holds shares of stock in a corporation he is interested, in a legal sense, in the contracts of the corporation, for in law these contracts are the corporation's contracts, and not his, and in making them the corporation acts through its officers and not through its stockholders.

"The far-reaching effect of the contrary view is obvious. For example, the city in its operations is necessarily obliged to make contracts with many corporations, and accordingly it has, as the records of the city show, made leases of its docks and ferries to the Pennsylvania, the New York Central, the Delaware, Lackawanna and Western, Erle, Jersey Central, Long Island Railroad companies and other corporations. If such leases or contracts were valid when made, it was never intended by section 1533 of the Charter that their continued validity should depend upon the contingency that no city officer should acquire shares of stock in such corporations. Such a construction would enable any of the numerous city officials, by simply acquiring a few shares of stock, to defeat a lease or contract with the city made by a corporation through its proper officers for the furnishing of articles and supplies for the use of the city. Such a contract is not invalid, nor is the Comptroller given power to declare it forfeited and void simply because some one or more of the hundreds of the city officials may hold stock in the corporation which has contracted to furnish the articles or supplies.

"I do not wish to be understood as expressing the opinion that circumstances might not exist under which ownership of stock in a corporation within the purview of section 1.533 of the Charter was made to prevent frauds upon the city of its property and revenues. This is apparent, also, from the provision of section 1.533 in respect of your powers, which is that all such contr

powers, which is that all stein contacts in which such officer is or becomes interested 'shall, at the option of the Comptroller, be forfeited and void.' This power was given to the Comptroller for the city's benefit. Even if a prohibited contract is made by the proper department or officer of the city, the Comptroller has an option, under this section, to hold the party to his contract it, in his judgment, it is beneficial to the city, or to declare it forfeited and void if, in his opinion, it is injurious to the city. I am of the opinion that the facts stated in the said petition of Mr. Hearst are not sufficient to justify you to declare void and forfeited the leases and contracts referred to in that petition."

After he had given out Mr. Dillon's decision the Comptroller was asked what he was going to do about it. His reply was characteristic and becoming.

"Do?" Mr. Coler asked, "Why, I'm going to follow the advice I paid for. Did you think I was going to buy a little advice and then not follow it? I'm not rich enough to afford that luxury:"

The Comptroller added that he would take

not follow it? I'm not rich enough to afford that luxury:

The Comptroller added that he would take no action for the present. Questions had been raised which would be answered, in all probability, through judicial inquiries, and the result of those inquiries might put him in a position to act upon the matters brought to his attention by Mr. Hearst.

The hearing of testimony by Referee Myer Nussbaumin the action brought by the Attorney General to annul the certificate under which the American Ice Company does business in this State was stayed yesterday by an order

Nussbaumin the action brought by the Attorney General to annul the certificate under which the American Ice Company does business in this State was stayed yesterday by an order granted on Saturday by Justice Smyth and served yesterday just as the case was about to proceed. The order directs the Attorney-General to show cause before Justice Chester in Albany on Saturday, why theforder granted by Justice Chase, appointing a referee to take testimony, should not be vacated. Proceedings before the referee are stayed until the return of the order.

Benjamin F. Einstein of counsel for Mr. Hearst said that application for such an order had been made in succession before Justices Chester and Herrick in Albany and Justice Smyth, he said, must have stated, under the code, that the same application had been denied by the other Judges.

So Saturday will be a busy day for the legal department of the American Ice Company. Up in Albany, Justice Chester will be called upon to hear argument first, on the motion to punish President Charles W. Morse of the ice commany for contempt of court; second, argument on a motion to make permanent the alternative writs of prohibition granted by Justice Heyrick, and third, argument on the order granted by Justice Smyth. In Brooklyn the examination of the Mayor, the Dock Commissioners, John F. Carroll and Charles W. Morse is scheduled to begin before Justice Gaynor before to o'clock in the morning. As for this last proceeding it was said yesterday that nobody would be surprised if, when the case before Justice Gaynor is called on Saturday morning, counsel for some one of the defendants should serve notice of appeal from Justice Gaynor's decision directing the examination to proceed, which appeal would act as a stay. ion to proceed, which appeal would act as a

tice Gaynor's decision directing the examination to proceed, which appeal would act as a stay.

While the litigation is going on the American Tee Company is said to be quietly cutting under the price of 60 cents a hundred which was established some time ago. Residents of the upper West Side say that the company has hired a lot of independent dealers to go through certain districts, alleging that they have nothing to do with the Ice Trust and offering to sell ice as low as 40 cents. It is said that no greater reductions are made than appeared to be necessary and the result is that prices are ranging all the way from 40 to 60 cents a hundred.

Justice George L. Ingraham of the Appellate Division of the Supreme-Court repeated yesterday that he has never owned any ice stock. His brother bought some mistake the receipt for the check was made out in the Justice's name and his name went on the stock books.

"As for myself," added the Justice, "since I have been a Judge I have neither bought nor sold stock in any corporation, or even owned any."

SHOT, WALKING WITH WHITE GIRLS.

bilities of Chrystle Street. Joseph Harvey, colored, of 100 Chrystie street, was sho: in the back yesterday morning while escorting two white gris through his while escoring two white are included in street. Two white men took off nee at his chaperonage and remonstrated. Harvey stooped for a brick to throw at them. In this attitude he was shot from behind. The police are looking for the man who shot him, but are not finding him. Harvey is in the hospital.

No Extra Fare on Pennsylvania Limited to

BICYCLISTS RIDE A VIADUCT.

It Is 300 Feet High and They Crossed on

Stone Coping Only 12 Inches Wide. BINGHAMTON, N. Y. June 6. Henry Wesson and E bridge Hart, two New York tourists, hold the record for riding the Erie viaduct at Lanesboro. It was the result of a wager. The viaduct is over a quarter of a mile in length and stands 300 feet from the ground. It is used by the Erie and is not designed for passengers. A stone coping twelve inches wide runs along the outer edge, unguarded by rail or anything else. Within the past two years many persons have fallen from the structure, striking the rocks below.

Wesson and Hart were making a bicycle trip from Buffalo to their homes in New York, and when Lanesboro was reached Hart dared Wesson to ride the structure, supposing they could go between the rails. When it was found that the outside coping was the only place available, he tried to back out, but Wesson laughed at him and wagered \$5 that he dared not ride it. Thereupon he started across on his wheel, shaken them off. They arrived at the other side however, both in a cold sweat and badly country could not induce them to repeat the

MILLIONAIRE FLEES THE COUNTRY. William Cottrell of Mount Clemens, Mich., Goes

to Canada to Escape Tax Assessments. DETROIT, Mich., June 8.-William Cottrell, Mount Clemens millionaire, has sold his house in that city for the trifling sum of \$13,000 and left his \$10,000 mausoleum for the purpose of evading a \$400,000 mortgage assessment made by the State Tax Commission. He has taken up his abode in Windsor. Ont., where he lives in a small room at a hotel, safe from the tax commission. Cottrell has few friends to mourn his absence in Mount Clemens, where he has always been regarded as very penurious While working as a farmhand at \$5 a month. he married the daughter of his wealthy employer, which gave him a start. He has never allowed more than one room in his mansion to be illuminated at night and the couple practically lived in one room. He leaves considerable real estate and mortgage securities behind, which State Tax Commissioner Oakman promises to find and place on the assessment rolls. He will be sued by the Tax Commission, charged with fraudulent entries on sworn statement blanks

TORPEDO BOAT DUPONT DAMAGED. Engines Didn't Reverse in Time and Her Bow

Was Smashed at the Newport Station. NEWPORT, R. I., June 6 .- The torpedo boat Dupont was seriously damaged this afternoon while being docked at the torpedo station and as a result will have to be provided with a new bow. Under the command of Lieut. F. H. Brown, she had been to Providence with members of the torpedo class, and, returning, was running into her slip at the station. These boats can be reversed so quickly that they run almost full speed right into the slip. This was done to-night with serious results. The signal was given to stop and reverse but in some way the engine did not respond, something jamming, and she plunged into the wharf, crushing her bow in nearly six feet. Watertight compartments prevented her from sloking. She will have to be sent to Bristol for the Herreshoffs to give her a new bow. It is understood that no blame can be attached to those in charge

WAIVED \$75,000 IN FEES.

iver Hugh Grant Wound Up the St. Hugh J. Grant as receiver of the St. Nicholas Bank submitted his final accounts to Justice Smyth of the Supreme Court yesterday and asked to be discharged. He was appointed in December, 1893, and has received and disbursed about \$2,000,000. He has a balance on hand of \$41,000. John M. Bowers, of counsel for the receiver, said that besides the \$12,000 a year salary fixed by the statute, Mr. Grant could have collected certain percentages on moneys ne handled which would have swelled his fees o about \$100,000, but he had taken only the \$24,000 for two years of work. Since his accounting of 1895 he had taken only \$1,500 in fees and he has waived any claim for more. Bowers Sands, as attorneys for the receiver, have been paid \$23,000 for their services and they

embezzling \$15,000 from clients. When Arnold was arrested on May 23 he agreed to return to England without contest, but he decied that he was guilty of the offence charged in the com-

plaint. To-day his counsel applied for a writ of babea orbus on the ground that no proof of the guilt of Mr Arnold had been produced. He said Arnold was entitled to examination here to de-termine if there was any proof against him, and Judge Morrow hold that this contention was sound. He referred the matter to United States Commissioner Heacock.

EIGHT DAYS IN A DORY. Iwo Fishermen Picked Up off the Banks in a

Perishing Condition. HALIFAX, N. S., June 6.—The Norwegian bark Leif arrived at Yarmouth yesterday from Frederickshald. She picked up on May 30 two frederickshaid. She picked up on May 30 two fishermen from the French brig Raneo, St. Malo, France, who were in an almost perishing condition. The men, Auguste Golov and Peter Lemy, went astray from their vessel on Baccelieu Bank on the morning of May 21, and after a fruitless search for her, gave up the task and dr fred about for eight days, keeping the dory's bened to the sea by rowing. head to the sea by rowing.

WASHINGTON, June 6 .- Naval Constructo

Richmond Pearson Hobson has been condemned by the Medical Survey Board on the Asiatic station, which recommends that he be relieved from his present duties and ordered home at once. A cablegram to that effect was received to-day from Rear Admiral Remey, who said that the services of another constructor were required at the Cavité naval station at once to carry on a large amount of repair work. Constructor Thomas F. Ruhm, who is now on duty at the works of Lewis Nixon, Elizabethport, N. J., will receive orders to-morrow to proceed to the Asiats station. Sick leave to recover his health will be given Constructor Hobson. station, which recommends that he be relieved

They offer to-day a mammoth stock of Fancy Ribbons, worth 25c. to 55c. yard, at 15c. 19c and 25c. yard. See their advertisement. 6th av., 20th to 21st st-Ads.

CANNON HOLDS CONGRESS

KEEPS IT IN SESSION ANOTHER DAY AND HAS THE PRESIDENT WAITING.

He Provokes a Contest Over the Hydrographic Survey Item, and Forces the House to Decide Against Its Conferees and Turn the Bill Over to His Own Committee,

WASHINGTON, June 6 .- A bitter and unexpected elevent's hour contest over an item in the Naval Appropriation bill brought to-night's session of Congress to a dramatic close and broke the programme for final adjournment to-day. All plans had been laid for a wind-up this afternoon according to the resolution passed by the House a fortnight and more ago and reported favorably to the Senate from the Appropriations Committee this morning. President McKinley was in his room at the Senate end all the afternoon and evening, and Senator Aldrich, the tactical manager, left Vesson following. Down in the valley a Rhode Island on an early train. The breathless crowd watched the exploit, for the long fight over the question of armor plate had slightest wabble would have dashed both to ended and everything was in readiness for their death, or an approaching train would have closing the session, but because of an apparently harmless little item in the Naval Appropriation bill, giving the Hydroscared. They declared that all the gold in the graphic Office of the Navy Department a share with the Coast and Geodetic Survey, a branch of the Treasury Department, in the work of ocean surveys, "Uncle Joe" held up Congress. He not only did this, but he forced the House to do what it never did before, dis-charge the conferees on an appropriation bill and then take it away from one committee and

hand it over to another. The question of ocean surveys had been fought out earlier in the session when the appropriation bills were being framed, and under Cannon's leadership the Coast and Geodetto Survey had won. The House had provided \$10,000 for hydrographic survey work. The Senate increased this to \$100 .-000 and when Mr. Cannon heard of it he started in to defeat the amendment, and he succeede to the extent of getting the whole bill out of the hands of the Naval Committee and into his own as chairman of the Committee on Appropriations. Now it looks as if terms will have to be made with Uncle Joe if final adjournment is to take place to-morrow

Every consideration of friendship, loyalty to the conferces, sympathy and politics was appealed to in an effort to force the House to recede, but Messrs. Cannon, Moody, Shaf roth and Hemmingway swept them all away. and in a burst of applause the House voted to send the bill back to conference, with instructions that the House conferees should demand that the Senate recede from its position. Many

that the Bouse conferees should demand that the Senate recede from its position. Many Senators were present during the debate and denounced the action of the House as an outrage, in view of the fact that the Senate had yielded on so many items.

Everybody was impatiently awaiting the close of the session when Mr. Foss presented the conference report, in which the House receded from its position in regard to the survey and the two years cruise for the naval cadets. Three times the House sent its conferees over to the Senate with instructions to insist on its receding and the last time (to-night) they reported they had receded themselves. Mr. Cannon set out to beat the report and in the course of the debate unusually strong language was used. Regardless of party affiliations he held the House firm to ingcourse and won the victory. Mr. Foss was almost overcome with mortification and disappointment. After a dramatic appeal to the House to sustain his course he sank into his seat exhausted. He declined absolutely to head another conference committee, and his colleagues, Dayton and Cummings, also refused to serve. After Mr. Cambus trimuph he was surrounded by fifty or sixty members of the House and the confusion was only ended by the Speaker hastily putting Mr. Payne's motion for a recess until 10 o'clock to-merrow, which was carried, and leaving the chair.

THE PRESIDENT AT THE CAPITOL

10:30 Returned to the White House. Cabinet assembled at the White House shortly before noon and accompanied the President to the Caritol Secretary Cortelyou and Assistant Secretaries Pruden and Barnes of the Executive staff were also in the party. The party went to the President's room on the Senate side of the building, where a batch of engrossed bills were awaiting signature. The President remained in his room signing a few belated bills and awaiting the appearance of the committee which would notify him that signed the nominations of new officers for the Territory of Alaska created by the Alaska bill, and Assistant Secretary Pruden walked around

A Sands, as attorneys for the receiver, have been paid \$23,000 for their services and they ask for \$3,000 more out of the remaining \$41,000. There was no opposition to the motion. Justice Smyth reserved decision.

BACK ON BARCUS'S HANDS.

Twenty-seven Cases of "Messages and Documents" Returned From Abroad.

A representative of J. S. Barcus & Co. of Terre Haute, Ind., went to the Custom House yesterday to make entry of twenty-seven cases containing sets of the "Messages and Documents of the Presidents." The books were exported some time ago, with the view of selling them abroad, but the customs authorities julge from their return to this country that the foreign demand at Barcus's prices was disappiointing.

ARNOLD PIGHTS EXTRADITION.

Sir Edwin's Son to Have an Examination in San Francisco.

San Francisco, June 6.—Before Judge Morrow of the United States Circuit Court to-day Julian Biddulph Arnold, second son of Sir Edwin Arnold, won the first point in his struggle to escape extradition to England o a charge of embezzling \$15,000 from clients. When Arnold was arrested on May 23 he agreed to return to burse of the Constant to the White House.

Barcing of Alaska created by the Alaska bill, and Assistant Secretary Pruden walked around to the main door of the Senate and formally and has cabinet officers was served in the remaining and in Scalinet officers was served in the room and the Kasing and his Cabinet officers was served in the room and 10 of clek.

At 4.30, the Senate having taken a recess, the President effects of the House and the Wars and Means Committee room, which he occupied while chairman of the committee and in which the Meking Tame of the Committee and in which the Meking Tame of the Committee and in which the Meking Tame of the Committee and in which the Meking Tame of the Committee and in which the Meking Tame of the Committee of

DURYEA TO LEAVE THE HOSPITAL

His Family Now Confident of His Complete

Recovery, Despite His Broken Neck.

Preparations are being made for the removal from Roosevelt Hospital of Walter E. Duryea, who broke his neck last summer while diving in Oyster Bay, to a health resort on Long Island Harry H. Duryea, a cousin of the inland Harry H. Duryea, a cousin of the injured man, said yesterday that Walter's condition since the operation, in which portions of the shattered vertebræ in the neck were removed, has continued steadily to improve and it was confidently expected by his family that he would ultimately recover.

At present Duryea can move his arms freely and has so far recovered the use of his hands and fingers as to be able to push himsel about in his invalid chair, to use a knife, fork and spoon and to write after a fashion, though the wild disjoints of his fingers are still stiff. It imstion has returned to his lower limbs and it is thought that he will slowly regain muscular power in them.

Durven has been in Roosevelt Hospital since Aug. 11 last. He expects to leave the hospital before the end of this month. He may be re-

GULPED DOWN A DIAMOND. Little Girl Takes a Ring From Her Mother's Hand and Swallows It. PLAINFIELD, N. J., June 6.-Mrs. Allen Flindell of New York, who is visiting her brother, william H. Spurge of Carlton avenue, was taking a nap in her room yesterday and her three-ye r-old daughter was rlaying near by. The child took a \$150 diamond ring from her mother's linger and swallowed it. A playsician was called at once, but thus far the girl retains possession of the ring. It was a cluster setting and in passing down the throat it caused some injury.

Carl H. Schultz's Carbonated Waters Are the only pure and correct artificial mineral waters.

Baseball! West Point Cadets vs. 7th Regt. pext Sat. Day Line str. up. West Shore R. R. return, \$1.50.